

AO 91 (Rev. 11/11) Criminal Complaint

Officer:

AUSA: Susan E. Fairchild

Jon-Paul Demarse

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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Rony BARAHONA-VARGAS

Case: 2:24-mj-30232

Assigned To : Unassigned

Assign. Date : 6/18/2024

Description: RE: RONY

BARAHONA-VARGAS (EOB)

Case No.

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 4, 2024 in the county of Washtenaw in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Title 8, United States Code, Section 1326(a)

Offense Description

Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about June 4, 2024, in the Eastern District of Michigan, Southern Division, Rony BARAHONA-VARGAS, an alien from Guatemala, was found in the United States after having been denied admission, excluded, deported, and removed there from on or about June 22, 2022, to Guatemala and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326 (a).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: June 18, 2024City and state: Detroit, MI

Complainant's signature

Jon-Paul Demarse, Deportation Officer

Printed name and title

Judge's signature

Hon. David R. Grand, United States Magistrate Judge


Printed name and title

AFFIDAVIT

I, Jon-Paul Demarse, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE) of the United States Department of Homeland Security, having served with ICE since October 2008. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers and record checks of law enforcement databases. I have also reviewed relevant immigration records relating to Rony BARAHONA-VARGAS, which reveal the following:
2. Rony BARAHONA-VARGAS is a forty-five-year-old citizen and a native of Guatemala who last entered the United States on an unknown date, at an unknown place, without inspection by the U.S. Department of Homeland Security.
3. On September 11, 2006, the Las Vegas Justice Court convicted BARAHONA-VARGAS of Battery/Domestic Violence and sentenced him to 48 hours of Community Service, fines, costs, and restitution in the amount of \$340.
4. On October 31, 2016, U.S. Border Patrol in El Paso, TX arrested BARAHONA-VARGAS. On January 9, 2017, the Immigration Judge in El Paso, TX granted BARAHONA-VARGAS a Voluntary Departure. On January 23, 2017, BARAHONA-VARGAS Voluntary Departed via Albuquerque, NM.
5. On October 27, 2017, the United States Border Patrol (USBP) in Sandusky, OH arrested BARAHONA-VARGAS and served him with an I-862 Notice to Appear. On June 19, 2018, proceedings were terminated in favor of an Administrative Removal. BARAHONA-VARGAS was removed of August 2, 2018, via ICE Air at Alexandria, LA.
6. On June 6, 2018, BARAHONA-VARGAS was convicted in U.S. District Court, Northern District of Ohio, for the offense of Transportation of Undocumented Aliens, in violation of Title 8 USC §1324(a)(1)(A)(ii) and Title 8 USC §1324(a)(1)(B)(ii); Case number 5:18-CR-00056. He was sentenced to time served. He was removed on July 4, 2018.

7. On April 14, 2022, BARAHONA was found guilty in U.S. District Court, Northern District of Ohio, of violating the conditions of supervised release. He was sentenced to 3 months' imprisonment.
8. On May 31, 2022, BARAHONA-VARGAS was served an I-871 Notice of Intent/Decision to Reinstate Prior Order of Removal. BARAHONES-VARGAS was removed via ICE AIR to Guatemala on June 22, 2022.
9. On June 4, 2024, BARAHONA-VARGAS was stopped for a traffic violation by police officers in the Ypsilanti area. His identity was confirmed, and he was released at the scene. ICE was notified due to his immigration status and provided with his identification and residence information.
10. On or about June 4, 2024, the official immigration file and system-automated data were reviewed and showed that BARAHONA-VARGAS, a native and citizen of Guatemala, A File No. XXX XXX 334, did not obtain the express consent of the Attorney General of the Secretary of the Department of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(a).
11. Based on the above information, I believe there is probable cause to conclude that Rony BARAHONA-VARGAS, is a non-citizen, who was found in or reentered the United States after deportation or removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security, all in violation of Title 8, United States Code, Section 1326(a).


Jon-Paul Demarse, Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me in my
presence and/or by reliable electronic means.



HON. DAVID R. GRAND
United States Magistrate Judge

June 18, 2024